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 GOOGLE INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,

Plaintiff,

v.

GOOGLE INC.,

Defendant.

Case No. 3:10-cv-03561-WHA

**DECLARATION OF TIM LINDHOLM IN
 SUPPORT OF GOOGLE'S MOTION IN
 LIMINE # 1 TO EXCLUDE MR.
 LINDHOLM'S AUGUST 6, 2010 EMAIL
 AND DRAFTS THEREOF**

Judge: Hon. William H. Alsup

Date Comp. Filed: October 27, 2010

Trial Date: October 31, 2011

1 I, Tim Lindholm, state:

2 1. I have been employed since 2005 by defendant Google Inc. ("Google") as a
3 Software Engineer in the Systems Infrastructure group at Google.

4 2. I have knowledge of the facts set forth herein, and if called to testify as a witness
5 thereto could do so competently under oath.

6 3. I am the author of the August 6, 2010 email and drafts thereof that I understand
7 are the subject of Google's pending Motion in Limine #1. I submit this Declaration in support of
8 that motion.

9 4. When I wrote the August 6, 2010 email, all of the following was true:

10 a. I had never reviewed the patents asserted by Oracle in this lawsuit.
11 Moreover, I had no knowledge about what copyrights Oracle ultimately would claim were
12 infringed by Android, and had never reviewed any of the copyright registrations asserted by
13 Oracle in this lawsuit.

14 b. I had not reviewed any of the source code or implementation for the
15 aspects of the Android platform accused by Oracle in this lawsuit.

16 c. I did not have the legal training necessary to analyze whether the Android
17 platform infringes any of the patents or copyrights asserted by Oracle in this lawsuit.

18 d. I did not, in fact, undertake to analyze whether the Android platform
19 infringes any of the patents or copyrights asserted by Oracle in this lawsuit.

20 e. Accordingly, I had no opinion as to whether the Android platform
21 infringes any of the patents or copyrights asserted by Oracle in this lawsuit.

22 5. My August 6, 2010 email concerned alternatives to technology that Oracle had
23 recently accused Google of infringing. Again, I conducted no analysis of, and had no opinion
24 about, whether the Android platform actually infringes any of the patents or copyrights asserted
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1 by Oracle in this lawsuit.

2 I declare under penalty of perjury that the foregoing is true and correct. Executed on
3 September 22, 2011.

4
5
6 By: 
TIM LINDHOLM